

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

VALERIE KREGER-MUELLER,

Plaintiff,

v.

DANIEL WITHEE, ROBERT MAIER, and
HOWARD STATZ,

Defendants.

ORDER

19-cv-741-jdp
Appeal no. 19-2880

Pro se plaintiff Valerie Kreger-Mueller filed a proposed civil action against numerous officers from the Middleton Police Department, alleging that they violated her rights in various ways. In a September 25, 2019 screening order, I dismissed Kreger-Mueller's claims against all but three defendants. Dkt. 4. Kreger-Mueller has now filed a motion for reconsideration of that order, in which she asks me to reconsider dismissing the defendants named in her original complaint. Dkt. 6. That motion is denied.

Under Federal Rule of Civil Procedure 59, a litigant may file a motion for reconsideration to correct manifest errors of law or fact, or to present newly discovered evidence. *Caisse Nationale de Credit Agricole v. CBI Indus., Inc.*, 90 F.3d 1264, 1269 (7th Cir. 1996). Kreger-Mueller does not respond to any of the reasons I gave for dismissing the defendants in my September 25 order. She simply quotes the text of the Fourth, Fifth, and Fourteenth amendments, and she says that the defendants have deprived her of liberty without due process and caused her substantial hardship. She provides no specific reasons why my decision to dismiss those defendants was erroneous.

Kreger-Mueller also asks for an opportunity to amend the complaint again to fix any errors. If Kreger-Mueller wishes to amend the complaint, she may file a motion for leave to

amend along with a proposed amended complaint. But I will not grant her leave to add claims against the defendants I previously dismissed unless Kreger-Mueller can address the problems I explained in my screening order. Dkt. 4.

Kreger-Mueller has filed a notice of appeal. Dkt. 7. She hasn't prepaid the filing fee, which means I must determine whether she may proceed in forma pauperis on appeal. *See* 28 U.S.C. § 1915(a)(3). The Court of Appeals for the Seventh Circuit has given Kreger-Mueller a deadline of October 15, 2019 to explain what basis it has for exercising jurisdiction over her appeal. *See Kreger-Mueller v. Daniel Withee*, No. 19-2880 (7th Cir. Oct. 1, 2019). I will defer ruling on whether Kreger-Mueller can proceed in forma pauperis until after she responds to the court of appeals' order.

ORDER

IT IS ORDERED that Plaintiff Valerie Kreger-Mueller's motion for reconsideration, Dkt. 6, is DENIED.

Entered October 15, 2019.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge